

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
TYRONE BIRKETT,	:	
	:	
Plaintiff,	:	
	:	23-CV-9214 (VSB)
-against-	:	
	:	<u>ORDER</u>
PENTAGON FEDERAL CREDIT UNION	:	
and EQUIFAX INFORMATION SERVICES,	:	
LLC,	:	
	:	
Defendants.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on October 19, 2023 against Defendants Pentagon Federal Credit Union (“Pentagon”) and Equifax Information Services, LLC (“Equifax”). (Doc. 1.) On January 19, 2024, Plaintiff filed a Notice of Settlement as to Pentagon. (Doc. 14.) In light of the settlement, I directed the parties to file a status update, noting whether the settlement agreement has been finalized, by March 22, 2024.¹ (Doc. 15.) Equifax, meanwhile, requested that the deadline for it to respond to the Complaint be extended to March 8, 2024, which I granted. (Docs. 19-20.) To date, Equifax has not filed such a response. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 15, 2024.

¹ Although Pentagon did not request an extension of time for it to respond to Plaintiff’s complaint, the deadline for it to do so is hereby extended to March 22, 2024.

If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation against Equifax, I may dismiss Equifax for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: March 11, 2024
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style with a large initial "V".

VERNON S. BRODERICK
United States District Judge